

E-Filed on 01/28/08

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Counsel for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS,  
LLC,

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED  
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

**Affects:**

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**VERIFIED PETITION FOR  
PERMISSION TO PRACTICE IN  
THIS CASE ONLY BY ATTORNEY  
NOT ADMITTED TO THE BAR OF  
THIS COURT**

[No hearing required]

Jon Maxwell Beatty, Petitioner, respectfully represents to the Court:

1. That Petitioner resides in Houston, Texas.
2. That Petitioner is an attorney at law and a member of the Houston office of the law firm of Diamond McCarthy LLP, with offices at 909 Fannin Street, Suite 1500, Houston, TX (713) 333-5100; 6504 Bridgepoint Parkway, Suite 400, Austin, TX 78730,

(512) 617-5200; 1201 Elm Street, 34th Floor, Dallas, TX 75270, (214) 389-5300; and 620 Eighth Avenue, 39th Floor, New York, NY 10018, (212) 430-5400.

3. That Petitioner has been retained personally or as a member of the law firm by the USACM Liquidating Trust ("USACM Trust") to serve as special litigation counsel to the USACM Trust.

4. That since November 2006, Petitioner has been and presently is a member in good standing of the bar of the highest court of the State of Texas.

5. That since November 2006, Petitioner has been and presently is a member in good standing of the bar of the highest court of the State of Texas where Petitioner regularly practices law.

6. That there are or have been no disciplinary proceedings instituted against petitioner, nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory or administrative body, or any resignation or termination in order to avoid disciplinary or disbarment proceedings, except as described in detail below: None.

7. That Petitioner has never been denied admission to the State Bar of Nevada.

8. That Petitioner is a member of good standing in the following Bar Associations: State Bar of Texas.

9. Petitioner has never filed application to appear as counsel in this Court. The following present and former members of Petitioner's firm with which Petitioner is associated have filed applications to appear as counsel under Local Rule IA 10-2 during the past three (3) years:

<u>Date of Application</u>	<u>Cause</u>	<u>Title of Court Administrative Body or Arbitrator</u>	<u>Was Application Granted or Denied</u>
Lisa S. Tsai Austin Office (01/08/08)	USA Commercial Mortgage Company (BK-S-06-10725- LBR)	USBC	Granted (01/16/08)

1	William T. Reid, IV	USA Commercial		
2	Austin Office	Mortgage Company	USBC	Granted
3	(08/06/07)	(BK-S-06-10725-		(08/15/07)
		LBR)		
4	Stephen T. Loden	USA Commercial		
5	Houston Office	Mortgage Company	USBC	Granted
6	(06/08/07)	(BK-S-06-10725-		(06/14/07)
		LBR)		
7	Allan B. Diamond	USA Commercial		
8	Houston Office	Mortgage Company	USBC	Granted
9	(02/01/07)	(BK-S-06-10725-		(02/02/07)
		LBR)		
10	Arley D. Finley, III <sup>1</sup>	USA Commercial		
11	Austin Office	Mortgage Company	USBC	Granted
12	(02/01/07)	(BK-S-06-10725-		(02/02/07)
		LBR)		
13	Eric D. Madden	USA Commercial		
14	Dallas Office	Mortgage Company	USBC	Granted
15	(02/01/07)	(BK-S-06-10725-		(02/02/07)
		LBR)		
16	Erin E. Jones	USA Commercial		
17	Houston Office	Mortgage Company	USBC	Granted
18	(02/01/07)	(BK-S-06-10725-		(02/02/07)
		LBR)		
19	Michael Yoder	USA Commercial		
20	Houston Office	Mortgage Company	USBC	Granted
21	(02/01/07)	(BK-S-06-10725-		(02/02/07)
		LBR)		
22	Eric D. Madden	Provincial Govt. of		
23	Dallas Office	Marinduque v.	USDC	Granted
24	(12/06/05)	Placer Dome, Inc.		(12/29/05)
		(CV-S-05-1299)		
25	James D. McCarthy	Provincial Govt. of		
26	Dallas Office	Marinduque v.	USDC	Granted
	(12/06/05)	Placer Dome, Inc.		(12/21/05)
		(CV-S-05-1299)		
27	Allan B. Diamond	Provincial Govt. of		
28	Houston Office	Marinduque v.	USDC	Granted
29	(12/06/05)	Placer Dome, Inc.		(12/21/05)
		(CV-S-05-1299)		
30	Walter J. Scott	Provincial Govt. of		
31	Dallas Office	Marinduque v.	USDC	Granted
32	(12/06/05)	Placer Dome, Inc.		(01/11/06)
		(CV-S-05-1299)		

<sup>1</sup> Arley D. Finley, III resigned his role as a practicing attorney with Diamond McCarthy effective August 31, 2007.

11. Petitioner agrees to comply with the standards of professional conduct required of the members of the bar of this court.

11. Petitioner agrees to comply with the standards of professional conduct required of the members of the bar of this court.

12. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.

In light of the foregoing considerations, Petitioner respectfully prays that Petitioner be admitted to practice before this Court FOR THE PURPOSES OF THIS CASE ONLY.

DATED:

Jon/Maxwell Beatty, *Petitioner*

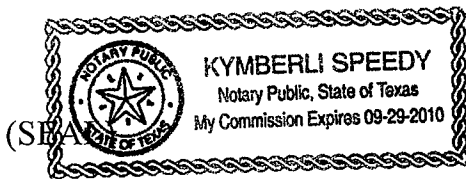
**VERIFICATION**

STATE OF TEXAS       )  
                                  )  
COUNTY OF HARRIS    )

Jon Maxwell Beatty, Petitioner, being first duly sworn, deposes and says:

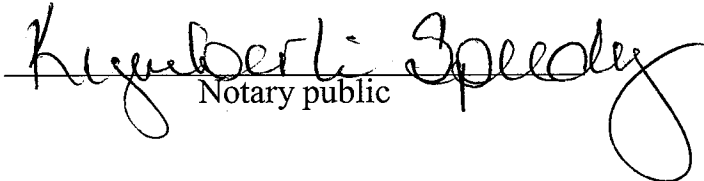
That the foregoing statements are true.

  
\_\_\_\_\_  
Jon Maxwell Beatty, *Petitioner*



Subscribed and sworn to before me this

28 day of January, 2008.

  
\_\_\_\_\_  
Notary public